

THE HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,

Plaintiff,

v.

KENNETH WARREN RHULE and
KENNETH JOHN RHULE,

Defendants.

CASE NO. CR20-0105-JCC

PROTECTIVE ORDER
RESTRAINING CERTAIN
FORFEITABLE PROPERTY

This matter comes before the Court on the Government's motion for a protective order to restrain forfeitable property (Dkt. No. 72) and motion for entry of a second protective order restraining certain forfeitable property (Dkt. No. 81). Neither defendant objects to the Court entering the protective orders. (*See* Dkt. Nos. 78, 79, 82.) Having thoroughly considered the parties' briefing and the relevant record, the Court hereby GRANTS the motions.

The Government seeks to restrain the following property:

1. The following property, seized on or about March 10, 2020, from KENNETH WARREN RHULE's residence in Bothell, Washington:
 - a) One 2016 Dark Gray Tesla Model S, VIN: 5YJSA1E22FF117465, bearing Washington State License Plate BOS0948;
 - b) Approximately 89 silver bars and coins;
 - c) Approximately 12 Louis Vuitton, Prada, or Gucci handbags;

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- d) One Hamilton Luxury Watch, Khaki Aviation X-Wind Auto Chrono; and
- e) Approximately \$42,000 in U.S. Currency.
2. Approximately \$593 in U.S. currency, seized on or about March 10, 2020, from KENNETH WARREN RHULE in or around Bothell, Washington.
3. The following property, seized on or about March 10, 2020, from KENNETH JOHN RHULE's residence in Monroe, Washington:
 - a) Approximately 5.12094153 bitcoin; and
 - b) Approximately 23.46324478 bitcoin.
4. One 2015 Black GMC Sierra pick-up truck with topper and lift kit, VIN: 1GT12ZE86FF149097, bearing Washington State License Plate C30354L, seized on or about March 10, 2020.
5. The following property, seized on or about March 13, 2020, from the aforementioned GMC Sierra pick-up truck:
 - a) Approximately \$32,339.00 in U.S. Currency;
 - b) One Western Union money order in the amount of approximately \$499 in U.S. funds;
 - c) Two American Express gift cards with a combined value of approximately \$250.83 in U.S. funds; and
 - d) One Gray and Black Men's Gucci Shoulder Bag.
6. One Cessna P210N, with registration number N21LT and serial number P21000216, and associated flight and maintenance logbooks and documents, seized on or about May 4, 2020, in or about Snohomish, Washington.
7. Approximately \$10,000 in U.S. currency, seized on or about July 14, 2020, from KENNETH JOHN RHULE in or around Honolulu, Hawaii.
8. A Smith and Wesson M&P 9mm handgun, serial number DTV6454.
9. The real property commonly known as 29428 181st Street SE, Monroe, Washington 98272, Snohomish County, Parcel No. 27081800202100 and all of its buildings, improvements, appurtenances, fixtures, attachments and easements, more particularly described as:

LOT 12, AS SHOWN ON SURVEY RECORDED IN VOLUME 14 OF
SURVEYS, PAGE 107, UNDER SNOHOMISH COUNTY RECORDING NO.

8107085004, RECORDS OF SNOHOMISH COUNTY, WASHINGTON,
BEING LOCATED IN SECTION 18, TOWNSHIP. 27 NORTH, RANGE 8
EAST, W.M, IN SNOHOMISH COUNTY, WASHINGTON;

10. The real property located at 29424 181st Street SE, Monroe, Washington 98272, Snohomish County, Parcel No. 27081800200200, and all of its buildings, improvements, appurtenances, fixtures, attachments and easements, more particularly described as:

LOT 11, AS SHOWN ON SURVEY RECORDED IN VOLUME 14 OF
SURVEYS, PAGE 107, UNDER SNOHOMISH COUNTY RECORDING NO.
8107085004, RECORDS OF SNOHOMISH COUNTY, WASHINGTON,
BEING LOCATED IN SECTION 18, TOWNSHIP. 27 NORTH, RANGE 8
EAST, W.M, IN SNOHOMISH COUNTY, WASHINGTON;

11. The following property, seized on or about March 10, 2020, from KENNETH JOHN RHULE's residence in Monroe, Washington:

- a) Approximately \$2,500 in U.S. Currency;
- b) Approximately \$430 in U.S. Currency;
- c) 2 Rolex Watches;
- d) 37 Collector Sports Cards;
- e) 59 Various Collector Coins; and
- f) Various Collector Stamps and Envelopes.

The Court, having reviewed the papers and pleadings filed in this matter, including the United States' Motions and supporting declaration of Drug Enforcement Administration Special Agent ("SA") Anthony Morales, hereby FINDS entry of a protective order restraining the above-identified property (hereafter, the "Subject Property") is appropriate because:

- The United States gave notice of its intent to pursue forfeiture in the Indictment filed on August 5, 2020 (Dkt. No. 31);
- Based on the facts set forth in SA Morales's declaration, there is probable cause to believe the Subject Property is subject to forfeiture in this case; and
- To ensure the Subject Property remains available for forfeiture, its continued restraint, pursuant to 21 U.S.C. § 853(e)(1) is appropriate.

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1 NOW, THEREFORE, THE COURT ORDERS:

- 2 1. The United States' request for a protective order restraining the Subject Property pending
3 the conclusion of this case is GRANTED; and
4 2. The Subject Property, other than the real property, shall remain in the custody of the
5 United States, and/or its authorized agents or representatives, pending the conclusion of
6 criminal forfeiture proceedings and/or further order of this Court.
7 3. The real property, identified in paragraphs 9 and 10, shall remain under restraint by the
8 United States, and/or its authorized agents or representatives, pending the conclusion of
9 criminal forfeiture proceedings and/or further other of this Court.

10 IT IS SO ORDERED.

11 DATED this 23rd day of November 2020.

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A handwritten signature in black ink, reading "John C. Coughenour", is written over a horizontal line.

John C. Coughenour
UNITED STATES DISTRICT JUDGE